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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

JOHN ARMSTRONG, et al.,

Plaintiff,

v.

EDMUND G. BROWN, JR., et al.,

Defendant.

Case No. C94 2307 CW

**~~PROPOSED~~ STIPULATED ORDER  
CONFIRMING UNDISPUTED  
ATTORNEYS' FEES AND COSTS  
FOR THE FIRST QUARTER OF 2017**

Judge: Hon. Claudia Wilken

1 On March 26, 1997, the District Court established procedures by which Plaintiffs  
2 are to collect periodic attorneys' fees and costs in this case in connection with their work  
3 monitoring Defendants' compliance with the Court's Orders and collecting fees.

4 Pursuant to these procedures, on April 13, 2017, Plaintiffs served on Defendants  
5 their First Quarterly Statement for 2017 by overnight delivery. The parties completed their  
6 meet-and-confer process on May 23, 2017 as to the fees and costs incurred on all matters.

7 As a result of the May 23, 2017 agreement, the parties agree to the following:

8 The parties agree to the payment of \$1,123,101.14 to resolve all fees and costs  
9 incurred during the First Quarter of 2017, for monitoring and/or litigation activities in the  
10 California Department of Corrections of Rehabilitation Division of Adult Operations and  
11 Adult Programs (CDCR AOAP) portion of the case. Attached hereto as **Exhibit A** are  
12 charts setting forth the fees and costs claimed by Plaintiffs and the amounts agreed to by  
13 the parties to settle these claims.

14 The parties agree to the payment of \$46,553.64 to resolve all fees and costs incurred  
15 during the First Quarter of 2017, for monitoring and/or litigation activities in the Board of  
16 Parole Hearings (BPH) portion of the case. Attached hereto as **Exhibit B** are charts setting  
17 forth the fees and costs claimed by Plaintiffs and the amounts agreed to by the parties to  
18 settle these claims.

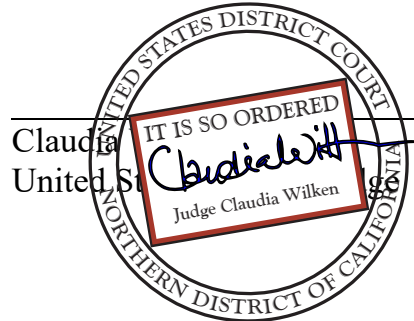
19 The parties agree to the payment of \$260,182.52 to resolve all fees and costs  
20 incurred during the First Quarter of 2017, for monitoring and/or litigation activities in the  
21 Division of Adult Parole Operations (DAPO) portion of the case. Attached hereto as  
22 **Exhibit C** are charts setting forth the fees and costs claimed by Plaintiffs and the amounts  
23 agreed to by the parties to settle these claims.

24 The parties agree to the payment of \$15,857.78 to resolve all fees and costs incurred  
25 during the First Quarter of 2017, for fees work. Attached hereto as **Exhibit D** are charts  
26 setting forth the fees and costs claimed by Plaintiffs and the amounts agreed to by the  
27 parties to settle these claims.

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1 IT IS HEREBY ORDERED that the amounts set forth above are due and  
2 collectable as of forty-five days from the date of entry of this Order. Interest on these fees  
3 and costs will run from May 15, 2017, accruing at the rate provided by 28 U.S.C. § 1961.  
4

5 DATED: June 1, 2017



6  
7  
8 APPROVED AS TO FORM:  
9

10 DATED: May 25, 2017

/s/Sharon A. Garske

Sharon A. Garske  
Deputy Attorney General  
Attorney for Defendants

11  
12  
13 DATED: May 25, 2017

/s/Ernest Galvan

Ernest Galvan  
Rosen Bien Galvan & Grunfeld LLP  
Attorney for Plaintiffs

# **EXHIBIT A**

**Armstrong v. Brown**  
**First Quarterly Statement of 2017**  
**January 1, 2017 through March 31, 2017**

**CDCR/AOAP SUMMARY OF UNDISPUTED FEES AND COSTS**

<b><u>MATTER</u></b>	<b><u>UNDISPUTED FEES</u></b>	<b><u>UNDISPUTED COSTS</u></b>
CDCR/AOAP MONITORING	\$1,095,737.28	\$27,363.86
	<b>TOTAL:</b>	<b>\$1,123,101.14</b>

**Armstrong v. Brown**

First Quarterly Statement of 2017

January 1, 2017 through March 31, 2017

**Matter: CDCR/AOAP Monitoring/Merits**

<b><u>Monitoring (581-3)</u></b>	<b>Actual</b>	<b>Claimed</b>	<b>2017</b>		<b>Fees Now Owing</b>
	<b>Hours</b>	<b>Hours</b>	<b>Rates</b>	<b>Total</b>	<b>Based on Negotiated Compromise</b>
<b><u>ROSEN, BIEN, GALVAN &amp; GRUNFELD</u></b>					
Michael W. Bien (MWB)	6.20	6.20	\$950	\$5,890.00	\$5,654.40
Gay C. Grunfeld (GCG)	33.00	33.00	\$825	\$27,225.00	\$26,136.00
Ernest Galvan (EG)	0.30	0.30	\$780	\$234.00	\$224.64
Penny Godbold (PG)	257.60	254.50	\$675	\$171,787.50	\$164,916.00
Thomas Nolan (TN)	140.80	130.10	\$700	\$91,070.00	\$87,427.20
Lisa Ellis (LAE)	0.30	0.30	\$650	\$195.00	\$187.20
Ben Bien-Kahn (BBK)	42.20	39.10	\$515	\$20,136.50	\$19,331.04
Krista Stone-Manista (KSM)	59.30	57.40	\$515	\$29,561.00	\$28,378.56
Kara Janssen (KJ)	0.30	0.00	\$500	\$0.00	\$0.00
Michael Nunez (MSN)	1.10	0.00	\$490	\$0.00	\$0.00
Pablo Lastra (PAL)	101.70	85.30	\$450	\$38,385.00	\$36,849.60
Jenny Yelin (JY)	66.30	63.10	\$500	\$31,550.00	\$30,288.00
Karen Stilber (KES)	92.70	92.10	\$325	\$29,932.50	\$28,735.20
Linda Woo (LHW)	5.80	0.00	\$325	\$0.00	\$0.00
F. Gail LaPurja (FGL)	1.00	0.00	\$275	\$0.00	\$0.00
Greg Gonzalez (GZG)	20.70	18.90	\$275	\$5,197.50	\$4,989.60
Katherine Hamilton (KCH)	282.10	240.20	\$240	\$57,648.00	\$55,342.08
Charlotte Landes (CJL)	10.60	10.60	\$240	\$2,544.00	\$2,442.24
Kelly McGraw (KAM)	259.20	238.60	\$240	\$57,264.00	\$54,973.44
Nathalie Welch (NW)	89.30	66.10	\$240	\$15,864.00	\$15,229.44
Dylan Verner-Crist (DVC)	5.30	0.00	\$225	\$0.00	\$0.00
<b>Total Hours:</b>	<b>1,475.80</b>	<b>1,335.80</b>		<b>\$584,484.00</b>	<b>\$561,104.64</b>
<b>RBGG CLAIMED FEES:</b>					
<b><u>PRISON LAW OFFICE</u></b>					
Donald Specter (DS)	16.30	16.30	\$950	\$15,485.00	\$14,865.60
Sara Norman (SN)	18.20	18.20	\$790	\$14,378.00	\$13,802.88
Corene Kendrick (CK)	116.30	116.30	\$675	\$78,502.50	\$75,362.40
Rita Lornio (RL)	151.70	151.70	\$595	\$90,261.50	\$86,651.04
Margot Mendelson (MM)	121.50	121.50	\$500	\$60,750.00	\$58,320.00
Sia N. Henry (SNH)	68.10	68.10	\$425	\$28,942.50	\$27,784.80
Amber Norris (AN)	242.20	242.20	\$325	\$78,715.00	\$75,566.40
Joseph E. Bear (JEB)	108.60	108.60	\$250	\$27,150.00	\$26,064.00
Laura Graham (LG)	127.60	127.60	\$250	\$31,900.00	\$30,624.00
Isaac Dalke (ID)	30.90	30.90	\$250	\$7,725.00	\$7,416.00
Meg O'Neill (MO)	65.60	65.60	\$250	\$16,400.00	\$15,744.00
Megan Lynch (ML)	138.40	138.40	\$315	\$43,596.00	\$41,852.16
Ehsan Sadeghi (ES)	110.10	110.10	\$250	\$27,525.00	\$26,424.00
Sarah Hopkins	140.4	140.4	\$250	\$35,100.00	\$33,696.00
<b>Total Hours:</b>	<b>1,455.90</b>	<b>1,455.90</b>		<b>\$556,430.50</b>	<b>\$534,173.28</b>
<b>PLO CLAIMED FEES:</b>					
<b><u>DISABILITY RIGHTS EDUCATION AND DEFENSE FUND</u></b>					
Case Clerk	2.90	2.90	\$165	\$478.50	\$459.36
<b>Total Hours:</b>	<b>2.90</b>	<b>2.90</b>		<b>\$478.50</b>	<b>\$459.36</b>
<b>DREDF CLAIMED FEES:</b>					
<b>TOTAL CLAIMED CDCR/AOAP MONITORING FEES:</b>					
				<b>\$1,141,393.00</b>	<b>\$1,095,737.28</b>

**Armstrong v. Brown**

First Quarterly Statement of 2017

January 1, 2017 through March 31, 2017

**Costs*****Matter: CDCR/AOAP Merits/Monitoring*****Rosen, Bien, Galvan & Grunfeld (581-3)**

	<b>Costs</b>	<b>Costs Now Owing Based on Negotiated Compromise</b>
Photocopying (In house)	\$2,725.40	\$2,616.38
Photocopying/printing (Outside)	\$1,534.76	\$1,473.37
Translation/Interpreter Services	\$240.95	\$231.31
Online Research - PACER, Westlaw	\$678.42	\$651.28
Class member records	\$25.75	\$24.72
Outside lecture	\$30.00	\$28.80
Postage & Delivery	\$416.00	\$399.36
Telephone	\$211.36	\$202.91
Travel - Mileage, Tolls, Food	\$7,113.34	\$6,828.81
<b>Total RBGG Costs:</b>	<b>\$12,975.98</b>	<b>\$12,456.94</b>

**Prison Law Office**

	<b>Costs</b>	
Photocopying (In house)	\$712.20	\$683.71
Travel - Mileage, Tolls, Food	\$13,804.01	\$13,251.85
Postage & Delivery	\$894.50	\$858.72
<b>Total PLO Costs:</b>	<b>\$15,410.71</b>	<b>\$14,794.28</b>

**Disability Rights Education & Defense Fund, Inc.**

Photocopying (in-house)	\$88.80	\$85.25
Postage & Delivery	\$28.53	\$27.39
<b>Total DREDF Costs:</b>	<b>\$117.33</b>	<b>\$112.64</b>

<b>TOTAL CLAIMED CDCR/AOAP MERITS/MONITORING COSTS:</b>	<b>\$28,504.02</b>	<b>\$27,363.86</b>
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# **EXHIBIT B**



**Armstrong v. Brown**  
First Quarterly Statement of 2017  
January 1, 2017 through March 31, 2017

**BPH SUMMARY OF UNDISPUTED FEES AND COSTS**

<b><u>MATTER</u></b>	<b><u>UNDISPUTED FEES</u></b>	<b><u>UNDISPUTED COSTS</u></b>
BPH	\$45,756.48	\$797.16
	<b>TOTAL :</b>	<b>\$46,553.64</b>

**Armstrong v. Brown**

First Quarterly Statement of 2017  
 January 1, 2017 through March 31, 2017  
**Matter: BPH**

<b><u>BPH (581-4)</u></b>	<b>Actual</b>	<b>Claimed</b>	<b>2017</b>	<b>Fees Now Owing</b>	
	<b>Hours</b>	<b>Hours</b>	<b>Rates</b>	<b>Total</b>	<b>Based on Negotiated Compromise</b>
<b><u>BPH MONITORING (581-4)</u></b>					
<b><u>ROSEN, BIEN, GALVAN &amp; GRUNFELD</u></b>					
Ernest Galvan (EG)	0.2	0	\$780	\$0.00	\$0.00
Gay C. Grunfeld (GCG)	1.30	1.30	\$825	\$1,072.50	\$1,029.60
Thomas Nolan (TN)	22.90	22.90	\$700	\$16,030.00	\$15,388.80
Krista Stone-Manista (KSM)	0.30	0.00	\$515	\$0.00	\$0.00
Kelly A. McGraw (KAM)	0.60	0.00	\$240	\$0.00	\$0.00
Katherine Hamilton (KCH)	3.90	3.90	\$240	\$936.00	\$898.56
<b>Total Hours:</b>	<b>29.00</b>	<b>28.10</b>			
<b>RBGG CLAIMED FEES:</b>				<b>\$18,038.50</b>	<b>\$17,316.96</b>
<b><u>PRISON LAW OFFICE</u></b>					
Sara Norman (SN)	25.60	25.60	\$790	\$20,224.00	\$19,415.04
Rana Anabtawi (RA)	6.70	6.70	\$515	\$3,450.50	\$3,312.48
Mae Ackerman-Brimberg (MAB)	14.00	14.00	\$425	\$5,950.00	\$5,712.00
<b>Total Hours:</b>	<b>25.60</b>	<b>25.60</b>			
<b>PLO CLAIMED FEES:</b>				<b>\$29,624.50</b>	<b>\$28,439.52</b>
<b>TOTAL CLAIMED FEES FOR BPH WORK:</b>				<b>\$47,663.00</b>	<b>\$45,756.48</b>

**Armstrong v. Brown**

First Quarterly Statement of 2017

January 1, 2017 through March 31, 2017

**Costs****Matter: BPH****Rosen, Bien, Galvan & Grunfeld (581-4)**

Photocopying (In house)  
 Telephone  
 Travel - Mileage, Tolls, Food

Costs	Costs Now Owing	
	<u>Based on Negotiated</u>	
	<u>Compromise</u>	
	\$28.60	\$27.46
	\$1.70	\$1.63
	\$91.98	\$88.30
<b>Total RBGG Costs:</b>	<b>\$122.28</b>	<b>\$117.39</b>

**Prison Law Office**

Travel - Mileage, Tolls, Food

	\$708.10	\$679.78
<b>Total PLO Costs:</b>	<b>\$708.10</b>	<b>\$679.78</b>

<b>TOTAL CLAIMED BPH COSTS:</b>	<b>\$830.38</b>	<b>\$797.16</b>
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# **EXHIBIT C**

**Armstrong v. Brown**  
First Quarterly Statement of 2017  
January 1, 2017 through March 31, 2017

**DAPO SUMMARY OF UNDISPUTED FEES AND COSTS**

<b><u>MATTER</u></b>	<b><u>UNDISPUTED FEES</u></b>	<b><u>UNDISPUTED COST</u></b>
DAPO MONITORING	\$251,375.04	\$8,807.48
	<b>TOTAL:</b>	<b>\$260,182.52</b>

**Armstrong v. Brown**

First Quarterly Statement of 2017

January 1, 2017 through March 31, 2017

**Matter: DAPO Monitoring**

<b><u>DAPO Monitoring (581-9)</u></b>	<b>Actual</b>	<b>Claimed</b>	<b>2017</b>	<b>Fees Now Owing</b>	
	<u>Hours</u>	<u>Hours</u>	<u>Rates</u>	<u>Total</u>	<u>Based on Negotiated Compromise</u>
<b><u>ROSEN, BIEN, GALVAN &amp; GRUNFELD</u></b>					
Michael W. Bien (MWB)	0.50	0.50	\$950	\$475.00	\$456.00
Gay C. Grunfeld (GCG)	33.20	33.20	\$825	\$27,390.00	\$26,294.40
Ernest Galvan (EG)	1.20	1.20	\$780	\$936.00	\$898.56
Penny Godbold (PG)	60.70	58.40	\$675	\$39,420.00	\$37,843.20
Thomas Nolan (TN)	15.70	13.70	\$700	\$9,590.00	\$9,206.40
Benjamin Bien-Kahn (BBK)	127.90	115.20	\$515	\$59,328.00	\$56,954.88
Krista Stone-Manista (KSM)	34.10	29.20	\$515	\$15,038.00	\$14,436.48
Jenny S. Yelin (JSY)	35.70	34.30	\$500	\$17,150.00	\$16,464.00
Pablo Lastra (PAL)	112.10	85.70	\$450	\$38,565.00	\$37,022.40
Christopher Hu (CDH)	12.30	12.30	\$425	\$5,227.50	\$5,018.40
Karen Stilber (KES)	10.60	10.20	\$325	\$3,315.00	\$3,182.40
Gregorio Gonzalez (GZG)	1.20	0.00	\$275	\$0.00	\$0.00
F. Gail LaPurja (FGL)	21.40	18.70	\$275	\$5,142.50	\$4,936.80
Kelly McGraw (KAM)	45.00	42.00	\$240	\$10,080.00	\$9,676.80
Katherine Hamilton (KCH)	1.30	0.00	\$240	\$0.00	\$0.00
Fely Villadelgado (FFV)	0.30	0.00	\$275	\$0.00	\$0.00
Nathalie Welch (NCW)	175.00	125.80	\$240	\$30,192.00	\$28,984.32
<b>Total Hours:</b>	<b>688.20</b>	<b>580.40</b>			
<b>RBGG CLAIMED FEES:</b>				<b>\$261,849.00</b>	<b>\$251,375.04</b>
<b>TOTAL CLAIMED FOR DAPO MONITORING WORK:</b>				<b>\$261,849.00</b>	<b>\$251,375.04</b>

**Armstrong v. Brown**

First Quarterly Statement of 2017

January 1, 2017 through March 31, 2017

**Costs*****Matter: DAPO Monitoring*****Rosen, Bien, Galvan & Grunfeld (581-9)**

<b>Costs</b>	<b>Costs Now Owing</b>	
	<b><u>Based on Negotiated</u></b>	<b><u>Compromise</u></b>
Photocopying (in-house)	\$1,170.00	\$1,123.20
Photocopying (outside)	\$247.62	\$237.72
Deposition transcripts (LASD depositions)	\$2,097.70	\$2,013.79
Interpreting Services - SLI	\$280.00	\$268.80
Westlaw	\$7.48	\$7.18
Long distance telephone charges	\$60.11	\$57.71
Inhouse Postage	\$106.82	\$102.55
Travel - Mileage, Tolls, Food	\$5,204.73	\$4,996.54
<b>Total RBGG Costs:</b>	<b>\$9,174.46</b>	<b>\$8,807.48</b>

**TOTAL CLAIMED DAPO MONITORING COSTS:****\$9,174.46****\$8,807.48**

# **EXHIBIT D**



**Armstrong v. Brown**  
**First Quarterly Statement of 2017**  
**January 1, 2017 through March 31, 2017**

**SUMMARY OF UNDISPUTED FEES WORK AND COSTS**

	<b><u>UNDISPUTED FEES</u></b>	<b><u>UNDISPUTED COSTS</u></b>
FEES WORK (ALL MATTERS)	\$15,748.80	\$108.98
<b>TOTAL:</b>		<b>\$15,857.78</b>

**Armstrong v. Brown**  
 First Quarterly Statement of 2017  
 January 1, 2017 through March 31, 2017  
**Matter: All Matters Fees Work**

<u>Fees (581-2)</u>	Actual	Claimed	2017	Fees Now Owing	
	<u>Hours</u>	<u>Hours</u>	<u>Rates</u>	<u>Total</u>	<u>Based on Negotiated Compromise</u>
<b><u>ROSEN, BIEN, GALVAN &amp; GRUNFELD</u></b>					
Gay C. Grunfeld (GCG)	11.00	10.90	\$825	\$8,992.50	\$8,632.80
Karen E. Stilber (KES)	13.40	13.40	\$325	\$4,355.00	\$4,180.80
Kelly A. McGraw (KAM)	0.30	0.00	\$240	\$0.00	\$0.00
F. Gail LaPurja (FGL)	0.20	0.00	\$275	\$0.00	\$0.00
Total Hours:	24.90	24.30			
<b>RBGG CLAIMED FEES:</b>				<b>\$13,347.50</b>	<b>\$12,813.60</b>
<b><u>PRISON LAW OFFICE</u></b>					
Donald Specter (DS)	0.4	0.4	\$950	\$380.00	\$364.80
Corene Kendrick (CK)	1.2	1.2	\$675	\$810.00	\$777.60
Ashley Kirby (AK)	7.3	7.3	\$200	\$1,460.00	\$1,401.60
Total Hours:	8.50	8.50			
<b>PLO CLAIMED FEES:</b>				<b>\$2,650.00</b>	<b>\$2,544.00</b>
<b><u>DISABILITY RIGHTS EDUCATION AND DEFENSE FUND</u></b>					
Linda Kilb (LDK)	0.50	0.50	\$815	\$407.50	\$391.20
Total Hours:	0.50	0.50			
<b>DREDF CLAIMED FEES:</b>				<b>\$407.50</b>	<b>\$391.20</b>
<b>TOTAL CLAIMED FEES FOR ARMSTRONG FEES WORK:</b>				<b>\$16,405.00</b>	<b>\$15,748.80</b>

**Armstrong v. Brown**

First Quarterly Statement of 2017

January 1, 2017 through March 31, 2017

**Costs*****Matter: Fees Work in All Matters*****Rosen, Bien, Galvan & Grunfeld (581-2)**

Photocopying and Printing (in-house)

Postage &amp; Delivery

<b><u>Costs</u></b>	<b><u>Costs Now Owing Based on Negotiated</u></b>
\$65.20	\$62.59
\$43.72	\$41.97
<b>Total RBGG Costs:</b>	<b>\$104.56</b>

**Disability Rights Education & Defense Fund, Inc.**

Photocopying (in-house)

\$4.60	\$4.42
<b>Total DREDF Costs:</b>	<b>\$4.42</b>

<b>TOTAL CLAIMED FEES WORK COSTS :</b>	<b>\$113.52</b>	<b>\$108.98</b>
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